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ATTORNEY FOR DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN RE:**

**PREFERRED READY-MIX LLC,**

**Debtor.**

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**CASE NO. 21-33369**

**Chapter 11**

**DEBTOR PREFERRED READY-MIX LLC'S OBJECTION TO CLAIM OF RAY  
YOUNG JR. (CLAIM NO. 12)**

**THIS IS AN OBJECTION TO YOUR CLAIM. THIS OBJECTION ASKS THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM MAY BE DISALLOWED WITHOUT A HEARING.**

**A HEARING HAS BEEN SET ON THIS MATTER ON APRIL 6, 2022 AT 11:00 A.M. BEFORE THE HONORABLE JEFFREY P. NORMAN, UNITED STATES BANKRUPTCY COURT.**

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

Comes now Preferred Ready-Mix LLC, Debtor herein (“Debtor”), and files this its Objection to Claim of Ray Young Jr., and would respectfully show this Court as follows:

### **I. JURISDICTION**

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (B).

2. Venue is proper pursuant to 28 USC § 1408 and 1409.

### **II. FACTUAL AND PROCEDURAL BACKGROUND**

3. On October 14, 2021 (“Petition Date”) the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code 11 U.S.C. §§ 101 et seq. (the “Bankruptcy Code”).

4. The Debtor’s plan of reorganization has not yet been confirmed.

5. Ray Young Jr. (the “Claimant”) filed proof of claim no. 12 in the Debtor’s case in the amount of \$3,172.68 (the “Claim”). The Claim is alleged to be a priority claim. A true and correct copy of the proof of claim is attached hereto as Exhibit “A.”

### **III. OBJECTIONS TO CLAIM**

6. The Debtor objects to the Claim for the following reasons:

a. The Debtor objects to the Claimant’s characterization of the Claim as a priority claim. Claimant is not entitled to any wages, salaries, or commissions earned within 180 days before the bankruptcy petition was filed.

b. The Debtor objects to the Claim in its entirety as the Claimant filed Proof of Claim no. 11 for the same amount on the same debt. Debtor believes this claim is a duplicate of proof of claim no. 11.

7. Based on the foregoing, the Debtor objects to the allowance of any part of the Claim.

WHEREFORE, PREMISES CONSIDERED, the Debtor requests the Court to enter an order disallowing the Claim and granting such other and further relief to which the Debtor may be justly entitled.

Dated: March 2, 2022.

Respectfully submitted,

/s/ Joyce W. Lindauer

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**CERTIFICATE OF SERVICE**

This is to certify that on March 2, 2022, a true and correct copy of the foregoing document was served via email pursuant to the Court's ECF system upon the parties receiving electronic notice in this case. The Claimant was served by United States first class certified mail, return receipt requested, at the address listed below.

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ray Young Jr.  
The Ventress Firm, P.C.  
1322 Space Park Dr., Ste C222  
Houston, TX 77058

/s/ Joyce W. Lindauer  
Joyce W. Lindauer